

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

UNITED STATES OF AMERICA

Plaintiff,

V.

LIMETREE BAY TERMINALS, LLC, WEST
INDIES PETROLEUM LIMITED, PORT
HAMILTON REFINING AND
TRANSPORTATION, LLLP, and the
TRANSITION REFINERY ENTITY, INC.

Defendants.

Civ. A. No. 1:21-cv-00264(WAL/EAH)

**UNITED STATES' REPLY TO PORT HAMILTON REFINING AND
TRANSPORTATION, LLLP'S RESPONSE TO THE UNITED STATES'
"MOTION TO DIRECT DEFENDANTS TO ABIDE BY THE JOINT
STIPULATION IN ACCORDANCE WITH THE BANKRUPTCY COURT
ORDER" (DOC. NO. 46)**

The United States does not accept Port Hamilton’s Offer of Stipulation (Doc. 52 and 52-1). As further explained in the United States’ Reply to West Indies’ Response (Doc. 54), the Bankruptcy Court’s Sale Order demands that, as a “Purchaser,” *both* Port Hamilton and West Indies must become a party to the Joint Stipulation. (Doc. 47-1 Flint Dec. Ex. 1 [Bankr. Doc. 977], ¶ 11). A stipulation that does not include both parties would not comport with the Sale Order’s clear instructions. Accordingly, this Court should issue an order imposing the substantive requirements of the Joint Stipulation on *both* Port Hamilton and West Indies.

Respectfully submitted,

TODD KIM
Assistant Attorney General
Environment and Natural Resources Division
United States Department of Justice

s/Myles E. Flint, II

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CERTIFICATE OF SERVICE

The undersigned certifies that on August 31, 2023, he filed the *United States' Reply To Port Hamilton Refining and Transportation, LLLP's Response to the United States' "Motion to Direct Defendants to Abide by the Joint Stipulation in Accordance with the Bankruptcy Court Order"* (Doc. No. 46) electronically with the Clerk of Court using the CM/ECF system, which will send notifications of this filing to all who have made appearances.

s/Myles E. Flint, II